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|--|---------------------------|------------------|
| DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION <input type="checkbox"/> Declaration Submitted with Initial Filing <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required) | Attorney Docket No. | ITI-002 (742/7) |
| | First Named Inventor | Salas |
| | COMPLETE IF KNOWN | |
| | Application Serial Number | 09/116,558 |
| | Filing Date | July 15, 1998 |
| | Group Art Unit | Not yet assigned |
| | Examiner Name | Not yet assigned |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method and Apparatus for Controlling Access to a Product

(Title of the Invention)

the specification of which

☐ is attached hereto
OR

☒ was filed on 7/15/98 as United States Application Serial Number or PCT International (MM/DD/YYYY)

Application Number 09/116,558 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|-------------------------------------|---------|----------------------------------|--------------------------|--------------------------|--------------------------|
| | | | <input type="checkbox"/> | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |
|------------------------------|--------------------------|--|
| | | |

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/116,558

Page 2 of 3

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Serial Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|--|------------------------------------|---|
| 08/893,111 | 7/15/97 | |

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☐ Customer Number →

Place Customer
Number Bar Code
Label Here

OR

☒ Registered practioner(s) name/registration number listed below

| Name | Registration Number | Name | Registration Number |
|--------------------------|------------------------|-----------------------|------------------------|
| Steven M. Bauer ✓ | 31,481 | Marianne McLaughlin | P-42,870 |
| Isabelle A.S. Blundell ✗ | P-43,321 | Thomas C. Meyers | 36,989 |
| Michael H. Brodowski ✓ | P-41,640 | Edmund R. Pitcher | 27,829 |
| Joseph A. Capraro, Jr. ✓ | 36,471 | Kurt Rauschenbach | 40,137 |
| Jerrie L. Chiu | P-41,670 | Michelle B. Rosenberg | 40,792 |
| John J. Cotter | 38,116 | Michael J. Schmelzer | P-43,093 |
| Jennifer L. Dupre | P-41,722 | J. Scott Southworth | 39,382 |
| Duncan A. Greenhalgh | 38,678 | Christopher W. Stamos | 35,370 |
| William G. Guerin | 41,047 | Robert J. Tosti | 35,393 |
| Ira Heffan | 41,059 | Thomas A. Turano | 35,722 |
| Elizabeth E. Kim | P-43,334 | Michael J. Twomey | 38,349 |
| Douglas J. Kline | 35,574 | Christine C. Vito | 39,061 |
| John D. Lanza | 40,060 | Patrick R.H. Waller | 41,418 |
| Timothy P. Linkkila | 40,702 | | |

☐ Additional registered practitioners named on supplemental Registered Practioner Information sheet attached hereto.

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.: 09/116,558

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | | | | | |
|---|--|---|--|------------|--|------------------------|--|-----------------|--|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | | |
| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| Pito | | | | | | Salas | | | |
| Inventor's Signature | | | | | | Date | | 10/1/98 | |
| Residence | | 12 Intervale Road | | | | Citizenship | | The Netherlands | |
| | | City | | Arlington | | State | | MA | |
| | | | | Zip | | 02174 | | Country | |
| | | | | | | | | USA | |
| Post Office Address | | 12 Intervale Road | | | | | | | |
| | | City | | Arlington | | State | | MA | |
| | | | | Zip | | 02174 | | Country | |
| | | | | | | | | USA | |
| <input checked="" type="checkbox"/> Additional inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) attached hereto. | | | | | | | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | | |
| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| Jeffrey | | | | | | Beir | | | |
| Inventor's Signature | | | | | | Date | | 9/30/98 | |
| Street Address | | 37 Wedgemere Avenue | | | | Citizenship | | USA | |
| | | City | | Winchester | | State | | MA | |
| | | | | Zip | | 01890 | | Country | |
| | | | | | | | | USA | |
| Post Office Address | | 37 Wedgemere Avenue | | | | | | | |
| | | City | | Winchester | | State | | MA | |
| | | | | Zip | | 01890 | | Country | |
| | | | | | | | | USA | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | | |
| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| Melissa | | | | | | Leffler | | | |
| Inventor's Signature | | | | | | Date | | 9/30/98 | |
| Street Address | | 65 The Valley Road | | | | Citizenship | | USA | |
| | | City | | Concord | | State | | MA | |
| | | | | Zip | | 01741 | | Country | |
| | | | | | | | | USA | |
| Post Office Address | | 65 The Valley Road | | | | | | | |
| | | City | | Concord | | State | | MA | |
| | | | | Zip | | 01741 | | Country | |
| | | | | | | | | USA | |

**DECLARATION AND
POWER OF ATTORNEY FOR UTILITY
OR DESIGN PATENT APPLICATION**

**ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 1 of 2**

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

McDonald

Glenn

Inventor's Signature

Date

9/30/98

Street Address

1 Lilac Court

Citizenship

USA

City

Cambridge

State

MA

Zip

02142

Country

USA

Post Office Address

1 Lilac Court

City

Cambridge

State

MA

Zip

02142

Country

USA

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Paul

Kleppner

Inventor's Signature

Date

9/30/99

Street Address

1578 Cambridge Street

Citizenship

USA

City

Cambridge

State

MA

Zip

02138

Country

USA

Post Office Address

1578 Cambridge Street

City

Cambridge

State

MA

Zip

02138

Country

USA

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Craig

Morrissey

Inventor's Signature

Date

9/30/98

Street Address

12 Sabrina Road

Citizenship

USA

City

Wellesley

State

MA

Zip

02181

Country

USA

Post Office Address

12 Sabrina Road

City

Wellesley

State

MA

Zip

02181

Country

USA

**DECLARATION AND
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OR DESIGN PATENT APPLICATION**

**ADDITIONAL INVENTOR(S)
Supplemental Sheet
Page 2 of 2**

| | | | | | | | | | |
|--|--|---|--|-------|--|------------------------|--|---------|--|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | | |
| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| James E. | | | | | | Tonra, Jr. | | | |
| Inventor's Signature | | <i>James E. Tonra, Jr.</i> | | | | Date | | 9/30/98 | |
| Street Address | | 13 Presidential Drive | | | | Citizenship | | USA | |
| City | | Wilmington | | State | | MA | | Zip | |
| 01887 | | Country | | USA | | | | | |
| Post Office Address | | 13 Presidential Drive | | | | | | | |
| City | | Wilmington | | State | | MA | | Zip | |
| 01887 | | Country | | USA | | | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | | |
| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| | | | | | | | | | |
| Inventor's Signature | | | | | | Date | | | |
| Street Address | | | | | | Citizenship | | | |
| City | | | | State | | | | Zip | |
| | | | | | | Country | | | |
| Post Office Address | | | | | | | | | |
| City | | | | State | | | | Zip | |
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| Given Name (first and middle [if any]) | | | | | | Family Name or Surname | | | |
| | | | | | | | | | |
| Inventor's Signature | | | | | | Date | | | |
| Street Address | | | | | | Citizenship | | | |
| City | | | | State | | | | Zip | |
| | | | | | | Country | | | |
| Post Office Address | | | | | | | | | |
| City | | | | State | | | | Zip | |
| | | | | | | Country | | | |

412JDL742/7.A654612

STATEMENT REGARDING SMALL ENTITY STATUS

Attorney Docket No. ITI-002CN

Applicant, Patentee, or Identifier: Salas et al.

Application or Patent No.: Not Yet Assigned

Date Filed or Issued: Herewith

Title: Method and Apparatus for Controlling Access to a Product

NAME OF SMALL BUSINESS OR NONPROFIT ORGANIZATION: eRoom Technology, Inc.

ADDRESS OF SMALL BUSINESS OR NONPROFIT ORGANIZATION: 725 Concord Avenue, Cambridge, MA 02138

I hereby state that the above identified small business concern or nonprofit organization qualifies as a small business concern as defined in 37 CFR 1.27 for purposes of paying reduced fees to the United States Patent and Trademark Office. For a small business concern, the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern or nonprofit organization identified above with regard to the invention described in:

- ☒ the application identified above.
☐ the patent identified above.

If the rights held by the above identified small business concern or nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must execute separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

- ☒ No such person, concern, or organization having any rights in the invention exists.
☐ Each such person, concern, or organization having any rights in the invention is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

NAME OF PERSON SIGNING

Elliott J. Marie

TITLE OF PERSON SIGNING

General Counsel

ADDRESS OF PERSON SIGNING

eRoom Technology, 725 Concord Ave., Cambridge, MA 02138

SIGNATURE

DATE

7/23/01